

REMARKS

Claims 1, 2, 4-8, 18, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stensrud (US 2002/0095944) in view of Kuroki (US 6,418,737). The Examiner admits that Stensrud does not disclose a detecting sensor. The Examiner states that Kuroki discloses a detecting sensor for controlling defrost, and it would be obvious to provide the apparatus of Stensrud with a sensor because of Kuroki. Applicant respectfully disagrees.

The claimed invention is not obvious. Neither reference discloses a refrigerant line that bypasses refrigerant directly from a compression device to an expansion device as claimed. In Stensrud, refrigerant from a compressor 22 flows into an accumulator 64 and is warmed. The warmed refrigerant then flows into an expansion valve 38 (paragraph 17). The refrigerant does not flow directly into the expansion valve 38 from the compressor 22, but rather flows into the accumulator 64. Flowing refrigerant into the accumulator 64 is the purpose of Stensrud. Kuroki also does not disclose this feature. Therefore, the combination of the claims does not disclose, suggest or teach a refrigeration system that directly flows refrigerant from a compression device to an expansion device as claimed. The claimed invention is not obvious.

Thus, claims 1, 2, 4-13 and 18-20 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 03-0835 in the name of Carrier Corporation \$50.00 for one additional dependent claim in excess of twenty. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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CERTIFICATE OF MAILING

I hereby certify that the attached response is being deposited with the U.S. Postal Service as First Class Mailing, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 14, 2005.

A handwritten signature in black ink, appearing to read "Amy M. Spaulding".